GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3584
ANSWERED ON:22.12.2004
AMENDMENT IN CODE OF CONDUCT
Kushwaha Shri Narendra Kumar

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether despite amendment in the code of conduct prescribed under the Indian Medical Council Act, 1956 by the Government it is not being complied by the Doctors;

(b) if so, the number of such cases received by the Government till date;

(c) the details about the code of conduct announced by the Government ;

(d) whether the Government is considering to bring new amendment in this regard; and

(e) if so, the action being taken by the Government against such doctors?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) to (e): As per the provisions of section 20A of the Act read with section 33 (power to make regulations), the Medical Council of India with the approval of the Central government has notified in the Official Gazette on 6th april,2002 the Indian Medical Council (Professional conduct, Etiquette and Ethics)Regulations, 2002. Copies of these Regulations have also been sent to all the State Governments and the State Medical Councils for ensuring compliance. These Regulations, inter-alia, indicate the acts of commission or omission on the part of a doctor which shall constitute professional misconduct or unethical acts rendering him/her liable for disciplinary actions. As per the provisions of the Regulations, the Medical Council of India or the State Medical Councils are empowered to give such punishment as deemed necessary or even removal of the name of any registered practitioner from the Register altogether or for a specified period in respect of any act of violation of the provisions of the Regulations which may be brought before it, after conducting an enquiry.

Whenever any compliant is received with regard to violation of the above provisions of the Regulations by any doctor in the Medical Council of India, action is taken by the Ethics Committee of the Council or it is referred to the concerned State Medical Council where the delinquent doctor is registered for appropriate action. During the period 1995 to October 2004 the Council has received 192 complaints, out of which 73 have been disposed of and the remaining are pending with the Council. At present, there is no proposal to further amend the Regulations of the council in this regard. However, amendments are carried out as and when deemed necessary on the recommendations of the Council.